

PATENT

#19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/828,961 Confirmation No. :
Applicant : RALF KEHR
Filed : April 10, 2001
TC/A.U. : 3676
Examiner : John B. Walsh
Docket No. : 951/49531
Customer No. : 23911
Title : REMOTE IGNITION KEY FOR MOTORCYCLES

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DEC 23 2003

OFFICE OF PETITIONS

PETITION UNDER 37 C.F.R. §1.313(c)(2)
TO WITHDRAW APPLICATION FROM ISSUE

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.313(c)(2), Applicant hereby requests that the above-identified U.S. patent application be withdrawn from issue for the purpose of consideration of a Request for Continued Examination in compliance with 37 C.F.R. §1.114. The petition fee required under 37 C.F.R. §1.17(h) is submitted herewith, together with an Information Disclosure Statement. Applicant hereby requests that the references identified the Information Disclosure Statement be considered in connection with the further prosecution of this application.

Applicant notes that the issue fee for this application was paid on November 14, 2003. However, Rule 313(c)(2) specifically provides for the withdrawal of an application from issue after payment of the issue fee, for consideration of a Request for Continued Examination in compliance with Rule

114. Accordingly, all statutory and regulatory requirements having been satisfied, Applicant respectfully submits that this application is entitled to be withdrawn from issue.

In order to assist in the disposition of this Petition, Petitioner notes the following facts:

1. The Notice of Allowance for this application was originally mailed to counsel for the Applicant at a prior address, and it was apparently lost in the mail.

2. A new Notice of Allowance indicating counsel's correct address was received in November 2003.

3. Upon receipt of the corrected Notice of Allowance, on November 14, 2003, Applicant submitted a Petition for Acceptance of Unintentionally Delayed Payment of Issue Fee Under 37 C.F.R. §1.137, together with a Notice of Change of Correspondence Address, the fee transmittal (PTOL-85), formal drawings and checks in payment of the petition fee, the issue fee and the publication fee.

4. Subsequent to payment of the issue fee, Applicant received a copy of the European Search Report for the corresponding European patent application. The Search Report is dated November 25, 2003, and cites four (4) references, three (3) of which are designated as category Y and one (1) as category A.

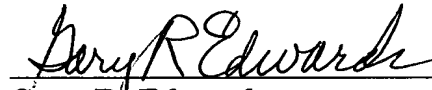
5. Concurrently herewith, Applicant has submitted a Request for Continued Examination, together with an Information Disclosure Statement including the European Search Report dated November 25, 2003, as well as copies of the references referred to therein.

If there are any questions regarding this Petition or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #951/49531).

Respectfully submitted,

December 17, 2003



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